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Attorneys for Federal Defendants

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

E.K. WADE,

Plaintiff,

v.

ELAINE CHAO, SECRETARY OF
LABOR, ET AL.

Defendant.

No. C 08-00021 CRB

**DECLARATION OF MELISSA K.
BROWN IN SUPPORT OF EX PARTE
MOTION PURSUANT TO FED. R. CIV.
P. 56(f)**

I Melissa K. Brown declare and state as follows:

1. I am employed by the United States Attorney's Office, Northern District of California, as an Assistant United States Attorney. My current employment address is 450 Golden Gate Avenue, Box 36055, San Francisco, California, 94102. I am the attorney assigned to the above-captioned matter.

2. On January 3, 2008, Plaintiff E.K. Wade ("Plaintiff") served the United States Attorney's Office with a Complaint in the above captioned matter. The Complaint is over one-hundred pages long and involves eleven individual federal Defendants and the Secretary of the Department of Labor (collectively, "Defendants"). Pursuant to Fed. R. Civ. P. 12(a)(3), Defendants' responsive pleading is due on March 3, 2008.

3. On February 4, 2008, Plaintiff filed a Motion for Summary Judgment ("Plaintiff's Motion").

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee of the Office of the United States Attorney for the Northern District of California and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that she is causing a copy of the following:

DECLARATION OF MELISSA K. BROWN IN SUPPORT OF EX PARTE MOTION PURSUANT TO FED. R. CIV. P. 56(f)

to be served this date upon the party in this action by placing a true copy thereof in a sealed envelope, and served as follows:

☒ **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in the designated area for outgoing U.S. mail in accordance with this office's practice.

☐ **PERSONAL SERVICE (BY MESSENGER)**

☐ **FEDERAL EXPRESS**

☐ **FACSIMILE (FAX)** Telephone No.: See Below

to the party(ies) addressed as follows:

E.K. Wade 542 North Civic Drive, Apt. D Walnut Creek, CA 94597		
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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on February 8, 2008 at San Francisco, California.

/s/
CAROL E. WEXELBAUM
Legal Assistant